

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICK JOHNSON,

Defendant.

Case No.: 2:-6-cr-13-RLH-RJJ

ORDER

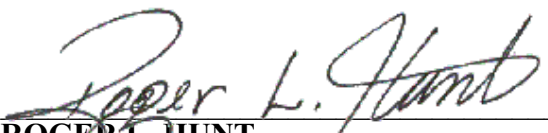
DENYING APPEALABILITY

Following the Court's denial of Defendant's Motion to Vacate under 28 U.S.C. § 2255, (*see* #112), Defendant Johnson filed a Notice of Appeal. (#114). Pursuant to Ninth Circuit policy, the Circuit has remanded this case for the limited purpose of granting or denying a Certificate of Appealability.

This court will not enter a certificate of appealability because, as noted in the order of denial, Defendant has not sought or obtained permission to file his second § 2255 motion, and the motion is otherwise untimely.

IT IS THEREFORE ORDERED that this court will not issue a certificate of appealability in this matter.

Dated: August 25, 2014.


ROGER L. HUNT
United States District Judge